

**VERTEX PHARMACEUTICALS INCORPORATED**

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FAX

To	MISSING PARTS
Company	USPTO
FAX	(703) 746-4060
From	Lisa A. Dixon
Date	July 26, 2004
Subject	Application No. 10/809,944 Attorney Docket No. VPI/02-133 US
Total Pages	12

Message or Comment

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 7, 2004 attached are a Transmittal Letter for Response to the Notice to File Missing Parts of Nonprovisional Application (2 pages, in duplicate); a Fee Transmittal (1 page, in duplicate); Notice to File Missing Parts of Nonprovisional Application (2 pages); and executed Declaration document (3 pages) relating to the above-identified application.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to the United States Patent and Trademark Office, Facsimile Number: (703) 746-4060 on this 26th day of July 22, 2004.

Karen DiRocco

If any problems occur with this fax transmittal, please call (617) 444-6396 immediately.

FAX Number (617) 444-6483 Legal Department

CONFIDENTIALITY NOTICE

The information and the documents transmitted by this telecopy are privileged and contain confidential information intended only for the person (s) names above. Any other distribution, copying or disclosure is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original to us without making a copy.



VPI/02-133 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luc J. Farmer, et al.
Serial No.: 10/809,944
Filing Date: March 25, 2004
Group Art Unit: 1614
Examiner: Not Yet Assigned
Confirmation No.: 6398
For: THIAZOLES USEFUL AS INHIBITORS OF PROTEIN KINASES

Cambridge, Massachusetts
July 26, 2004

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE TO THE
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Sir:

Transmitted herewith in response to the Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted, mailed June 7, 2004 in the above-identified application, are the following:

1. Faxcover Sheet to the Patent Office (1 page)
2. Fee Transmittal for FY 2004 (1 page, in duplicate);
3. Notice to File Missing Parts of Nonprovisional Application (2 pages); and
4. Executed Declaration document (3 pages).

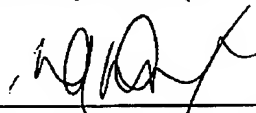
Atty. Docket No.: VPI/02-133 US
U.S.S.N.: 10/809,944
Applicants: Farmer, et al.

-2-

Applicants hereby authorize the Commissioner to charge Deposit Account No. 50-0725 in the amount of \$1,712.00 to cover the filing fee and the surcharge (see 37 C.F.R. §1.27 and 37 C.F.R. §1.16(e)).

Applicants believe that no additional fees are due at this time. However, the Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. §1.16 in connection with the papers transmitted herewith, or credit any overpayment of the same, to Deposit Account No. 50-0725. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



Lisa A. Dixon, Reg. No. 40,995
Attorney for Applicants
c/o Vertex Pharmaceuticals Incorporated
130 Waverly Street
Cambridge, MA 02139-4242
Tel.: (617) 444-6396
Fax.: (617) 444-6483



PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,712.00

Complete if Known

Application Number 10/809,944
Filing Date March 25, 2004
First Named Inventor Luc J. Farmer
Examiner Name Not Yet Assigned
Group Art Unit 1614
Attorney Docket No. VPI/02-133 US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

50-0725

Deposit Account Name

Vertex Pharmaceuticals

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 770.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
49	-20** = 29	18.00	522.00
Independent Claims	1	-3** = 0	0.00
Multiple Dependent		290.00	290.00

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	88	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	88	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 812.00

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

SUBMITTED BY

Name (Print/Type) Lisa A. Dixon

Signature

Registration No. (Attorney/Agent)

40,995

Complete (if applicable)

Telephone (617) 444-6396

Date July 26, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,944	03/25/2004	Luc J. Farmer	VPI/02-133 US

27916
VERTEX PHARMACEUTICALS INC.
130 WAVERLY STREET
CAMBRIDGE, MA 02139-4242

CONFIRMATION NO. 6398

FORMALITIES LETTER

OC000000012882792

Date Mailed: 06/07/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$794 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1694 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$794

10809944

500725

JBR/LINAN 00000070

770.00 DA

522.00 DA

130.00 DA

290.00 DA

01 FC:1001

02 FC:1202

03 FC:1051

04 FC:1203

- \$504 for 28 total claims over 20.
- \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center.

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE